

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CYNTHIA MOON,

Plaintiff,

- against -

ARCHWAY LOGISTICS LLC, and JOSHUA OLATUNDE,  
*Individually,*

Defendants.  
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Case No.: 1:23-cv-01631-LDH-JRC

DECLARATION OF  
STEVEN FINGERHUT IN  
OPPOSITION TO DEFENDANT  
OLATUNDE'S MOTION  
TO DISMISS

### **DECLARATION OF STEVEN FINGERHUT**

Steven Fingerhut, Esq., declares, pursuant to 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

1. I am an attorney licensed by the State of New York and admitted to practice in the United States District Court for the Eastern District of New York.
2. I am an attorney with the firm of Phillips & Associates, Attorneys at Law, PLLC, counsel for Plaintiff Cynthia Moon in the above action. As such, I am fully familiar with the facts and circumstances contained herein.
3. I submit this declaration in opposition to that part of Defendant Olatunde's motion to dismiss pertaining to his argument regarding improper service.
4. Attached hereto as Exhibits in support of Plaintiff's opposition are the following:
  - a. Exhibit 1 – True and accurate copies of affidavits of attempted service and affidavits of due diligence on Defendant Olatunde;

- b. Exhibit 2 – A true and accurate copy of New York’s Department of State, Division of Corporation’s record reflecting information about a business entity owned by Defendant Olatunde;
- c. Exhibit 3 – A true and accurate copy of an affidavit of service by Sabrina Rose, of the Amended Summons and Amended Complaint in this action on Defendant Olatunde on Monday, October 23, 2023;

I declare that the foregoing is true and accurate to the best of my knowledge, information and belief.

Dated: November 9, 2023  
New York, New York

PHILLIPS & ASSOCIATES,  
ATTORNEYS AT LAW, PLLC

By:

  
\_\_\_\_\_  
Steven Fingerhut  
EDNY Bar ID: SF0599  
*Attorney for Plaintiff*  
45 Broadway, Suite 430  
New York, New York 10006  
(212) 248-7431  
[sfingerhut@tpglaws.com](mailto:sfingerhut@tpglaws.com)